

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GREGORY STEWART,

CASE NO. 07-CV-11825

Plaintiff,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

-vs-

COMMISSIONER OF
SOCIAL SECURITY,

VIRGINIA A. MORGAN
UNITED STATES MAGISTRATE JUDGE

Defendant.

ORDER

- (1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;**
(2) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT; AND
(3) GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Before the Court is the Magistrate Judge's February 5, 2008 Report and Recommendation denying Plaintiff's August 13, 2007 Motion for Summary Judgment, and granting Defendant's September 10, 2007 Motion for Summary Judgment. Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ADOPTS** the Magistrate Judge's Report and Recommendation (Doc. No. 12);
- (2) **DENIES** Plaintiff's Motion for Summary Judgment (Doc. No. 10); and
- (3) **GRANTS** Defendant's Motion for Summary Judgment (Doc. No. 11).

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 28, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 28, 2008.

s/Denise Goodine
Case Manager
